

**RESOLUTION NO. 10-01**

**RESOLUTION OF THE CITY OF MILL VALLEY SUBMITTING AN  
APPLICATION TO THE METROPOLITAN TRANSPORTATION  
COMMISSION (MTC) RTIP PROJECT**

**WHEREAS**, the City of Mill Valley (herein referred to as "APPLICANT") is submitting an application to the Metropolitan Transportation Commission (MTC) for two hundred eighty-two thousand dollar (\$282,000) in funding from the 2010 Regional Transportation Improvement Program (RTIP) for the Sycamore Avenue Improvement Project (herein referred to as "PROJECT" or "PROJECTS") for the MTC 2010 RTIP, as authorized by MTC by Resolution No. 3928 (herein referred to as "PROGRAM"); and

**WHEREAS**, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

**WHEREAS**, as part of that process, MTC is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to California Government Code Section 14527(b), for inclusion in the RTIP, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

**WHEREAS**, MTC will review and include, if approved, 2010 RTIP projects in the federal Transportation Improvement Program (TIP); and

**WHEREAS**, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the RTIP; and

**WHEREAS**, applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and

**WHEREAS**, APPLICANT is a sponsor of transportation projects eligible for Regional Improvement Program funds; and

**WHEREAS**, the RTIP Project Programming Request (PPR) form of the project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which APPLICANT is requesting that MTC program Regional Improvement Program funds for inclusion in the RTIP; and

**WHEREAS**, Part 2 of the project application, attached hereto and incorporated herein as though set forth at length, includes the certification by APPLICANT of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

**WHEREAS**, as part of the application for 2010 RTIP funding, MTC requires any resolution adopted by the responsible implementing agency to state that the project will comply with the procedures specified in the "Timely Use of Funds Provisions and Deadlines" (MTC Resolution No. 3928, Attachment 1, Pages 14-15, and as may be further amended).

**NOW, THEREFORE, BE IT RESOLVED**, that APPLICANT approves the assurances set forth in Part 2 of the project application, attached to this resolution; and be it further

**RESOLVED**, that APPLICANT will comply with the provisions and requirements of the "Timely Use of Funds Provisions and Deadlines" (MTC Resolution No. 3928, Attachment 1, Pages 14-15, and as may be further amended), that PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP, and that APPLICANT and PROJECT will comply with the requirements as set forth in the 2010 RTIP Policies and Procedures (MTC Resolution No. 3928); and therefore be it further

**RESOLVED**, that APPLICANT has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP Project Programming Request (PPR) form of the project application, attached to this resolution; and be it further

**RESOLVED**, that APPLICANT is an eligible sponsor of projects in the State Transportation Improvement Program; and be it further

**RESOLVED**, that APPLICANT is authorized to submit an application for State Transportation Improvement Program funds for PROJECT; and be it further

**RESOLVED**, that there is no legal impediment to APPLICANT making applications for Regional Improvement Program funds; and be it further

**RESOLVED**, that there is no pending or threatened litigation which might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

**RESOLVED**, that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC to program Regional Improvement Program funds into the RTIP, for the projects, purposes and amounts included in the project application attached to this resolution; and be it further

**RESOLVED**, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the APPLICANT application referenced herein.


**THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED** at a regular meeting of the Mill Valley City Council on the 4th day of January, 2010 by the following vote:

**AYES:** Councilmember Wachtel, Lion, Marshall, Berman and Mayor Moulton-Peters

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

  
Stephanie Moulton-Peters, Mayor

**ATTEST:**

  
Kimberly Wilson, Deputy City Clerk

**RTIP Project Application**  
**Part 2: Certification of Assurances**

The implementing agency certifies that the project for which Regional Improvement Program funding is requested meets the following project screening Criteria. **Please initial each.**

1. The project is eligible for consideration in the RTIP. Pursuant to Streets and Highways Code Section 164 (e), eligible projects include improving state highways, local roads, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety. JB
2. For the funds requested, no costs have/will be incurred prior to adoption into the STIP by the CTC. JB
3. A Project Study Report (PSR) or PSR equivalent has been prepared for the project. JB
4. The project budget included in Part 2 of the project application reflects current costs updated as of the date of application and escalated to the appropriate year. JB
5. The project is included in a local congestion management program (CMP). (Note: For those counties that have opted out of preparing a CMP in accordance with Government Code Section 65088.3, the project must be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation planning agency.) JB
6. The year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project. JB
7. The project is fully funded. JB
8. For projects with STIP federal funds, the implementing agency agrees to contact Caltrans and schedule and complete a field review within six months of the project being adopted or amended into the TIP. JB
9. For STIP construction funds, the implementing agency agrees to send a copy of the Caltrans LPP 01-06 "Award Information for STIP Projects – Attachment A" to MTC and the CMA, upon award. JB
10. The implementing agency agrees to be available for an audit of STIP funds, if requested. JB

The implementing agency also agrees to abide by all statutes, rules and regulations applying to the State Transportation Improvement Program (STIP), and to follow all requirements associated with the funds programmed to the project in the STIP. JB

These include, but are not limited to:

1. Environmental requirements: NEPA standards and procedures for all projects with Federal funds; CEQA standards and procedures for all projects programmed with State funds.
2. California Transportation Commission (CTC) requirements for transit projects, formerly associated with the Transit Capital Improvement (TCI) program. These include rules governing right-of-way acquisition, hazardous materials testing, and timely use of funds.
3. Federal Transit Administration (FTA) requirements for transit projects as outlined in FTA regulations and circulars.

4. Federal Highway Administration (FHWA) and Caltrans requirements for highway and other roadway projects as outlined in the Caltrans Local Programs Manual.
5. Federal air quality conformity requirements, and local project review requirements, as outlined in the adopted Bay Area Conformity Revision of the State Implementation Plan (SIP).